

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING JANUARY 15, 2020

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 25, STREETS AND SIDEWALKS **(Public Works)**
- 25-1.9 Street Specifications/Road Surface
- O-2 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR BAYONNE BAY EAST. (Borarie-MOTBY). **(Planning)**
- O-3 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS. **(Updating Tax Map)**
- O-4 AN ORDINANCE AUTHORIZING THE GRANTING OF AN AERIAL EASEMENT OVER CERTAIN PROPERTY OWNED BY THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY TO THE NEW JERSEY TURNPIKE AUTHORITY IDENTIFIED AS A PORTION OF THE AVENUE E RIGHT OF WAY (PARCEL AE262D AND RAE262E) ON THE TAX MAP OF THE CITY PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ.
- O-5 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN PROPERTY OWNED BY HOWARD WAREHOUSE INC. TO THE CITY OF BAYONNE, COUNTY OF HUDSON IDENTIFIED AS A PORTION OF BLOCK 641, LOT 1 (Proposed Lot 1.01) ON THE TAX MAP OF THE CITY, PURSUANT TO N.J.S.A. 40A:12-3 et seq
- O-6 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE VACATION OF GOULD STREET
- O-7 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY TO THE NEW JERSEY TURNPIKE AUTHORITY IDENTIFIED AS BLOCK 394.02 LOT 1 (PARCEL 262A), BLOCK 394.01 LOT 1 (PARCEL 262B) ON THE TAX MAP OF THE CITY OF PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ.,
- O-8 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN PROPERTY OWNED BY THE NEW JERSEY TURNPIKE TO THE CITY OF BAYONNE, COUNTY OF HUDSON IDENTIFIED AS BLOCK 399 LOTS 4, & 5(PARCEL 256AX), BLOCK 399 LOT 5.01 (PARCEL 257BX), BLOCK 395A LOT 1 (PARCELS 259BX, E259CX AND 259DX) BLOCK 393 LOTS 19, 20 AND 21 (PARCEL R265AX), BLOCK 46 LOT 23 (PARCEL 269X), BLOCK 46 LOT 50 (PARCEL 270X), BLOCK 41 LOTS 11 AND 12 AND BLOCK 393 LOTS 22, 26, 27 AND 29 (Parcel 273AX AND 273BX) ON THE TAX MAP OF THE CITY OF PURSUANT TO N.J.S.A. 40A:12-3, ET SEQ
- O-9 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC **(Restrictive Parking Zones) Public Safety**

Restrictive Parking Zones

DELETE

009. Theresa Augustyniak, 19 West 11th Street
160. Shaun Milk, 35 West 29th Street
019. Dominick Rizzo, 11 Veterans Court

ADD

066. Eileen Costanzo, 12 Story Court
077. Albert Fetchko, 31A East 41st Street
078. Mary De'Poalo, 78 West 6th Street
079. Eshak Nabil, 87 West 50th Street
095. Coleen J. Walsh, 21 West 2nd Street
103. William DeVenuto, 590 Avenue A
109. Kathy Walsh, 118 West 19th Street

PUBLIC COMMENTS

Speakers are to sign the signup sheet prior to the meeting.

ORDINANCES PROPOSED FOR INTRODUCTION

- O-10 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 15, BUILDING AND HOUSING, and a resolution fixing Wednesday, February 19, 2020 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage. **(Construction Permit Fees) Planning**
- O-11 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS, and a resolution fixing Wednesday, February 19, 2020 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage. **(Establishing an Affordable Housing Trust Fund) Law**
- O-12 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AN EASTMENT OVER THE CITY'S RIGHT OF WAY ACROSS BLOCK 721, LOTS 3 (Cross Lane) FOR BLOCK 721, LOT 2 FOR THE PURPOSE OF ALLOWING A FIVE (5) FOOT WIDE CANOPY AND FOOTING, and a resolution fixing Wednesday, February 19, 2020 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage
- O-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BYAONNE, CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS, and a resolution fixing Wednesday, February 19, 2020 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage. **(Amending Section 4.29-Towing)**
- O-14 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and a resolution fixing Wednesday, February 19, 2020 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage. **(Restrictive Parking Zones) Public Safety**

Restrictive Parking Zones

ADD

116. Thomas Kouveliotes, 1099 Broadway
125. Amanda Kahn, 7 Sisson Court
147. Ewa Kotowska, 376 Avenue C

COMMUNICATIONS

CONSENT AGENDA - Resolution ordering the following Communications to be received and filed:

- C-1 From MILAGIO PLUMNEY, filing notice of tort claim alleging personal injuries resulting from a fall on the sidewalk located at 18 Broadway on September 20, 2019
- C-2 From JOHN BALANCE filing notice of tort claim alleging property damage to his automobile when it was struck by a fire truck will parking on West 28th Street on December 4, 2019.
- C-3 From John J. Smith, Esq. filing notice of tort claim on behalf of ROBBINS REEF YACHT CLUB alleging property damage to its security fencing when it was struck by the garbage truck at 21 Pavonia Court on September 13, 2019.
- C-4 From Brent Bramnick, Esq., filing notice of tort claim on behalf of VANESSA ASMAR, alleging personal injuries resulting from a fall at 318 Broadway on December 3, 2019.
- C-5 From DAVID LAMBERT, filing notice of tort claim alleging property damage to his automobile when it hit a pothole at Avenue E and 31st Street on December 22, 2019.
- C-6 From ROXANNE C. MARQUEZ, filing notice of tort claim alleging property damage to her automobile when it hit a metal plate in the street at Flagship Street on December 19, 2019.
- C-7 From ROBERT J. MORETON, filing notice of tort claim alleging property damage to his automobile when it hit an open manhole at East 7th Street on November 30, 2019.
- C-8 From Superior Court of New Jersey, Law Division Summons and Complaint in the matter entitled, "SINCERRAE ROSS vs. THE CITY OF BAYONNE, et al." **(Hostile work environment)**
- C-9 From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "WALSH vs. THE CITY OF BAYONNE, et al." **(Civil Rights Violation of Americans with Disabilities Act)**
- C-10 From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, "CRESCI vs. THE CITY OF BAYONNE, et al." **(Civil Rights Violation-false arrest)**

OFFICERS' REPORTS

CONSENT AGENDA - Resolution ordering the following Officers' Reports to be received and filed and any resolution incorporated within them to be adopted:

- OR-1 From James M. Davis, Mayor, Executive Order #2020-1, fixing the following salaries ranges, effective January 1, 2020
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|----------------------------------|---------------------|
| Principal Accountant | \$67,000 - \$87,000 |
| Personnel Technician | \$70,376 - \$95,060 |
| Asst. Municipal Comptroller | \$70,000 - \$95,000 |
| Asst. Municipal Treasurer | \$70,000 - \$95,000 |
| Asst. Supervisor-Garage Services | \$66,628 - \$90,823 |
- OR-2 From James M. Davis, Mayor, Executive Order #2020-2, fixing the following salary range, effective January 1, 2020
- | | |
|---------------------|----------------------|
| Municipal Treasurer | \$72,000 - \$107,000 |
|---------------------|----------------------|
- OR-3 From James M. Davis, Mayor, Executive Order #2020-03, fixing the following salary range, effective January 1, 2020.
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|----------------|---------------------|
| Fiscal Analyst | \$46,000 - \$61,000 |
|----------------|---------------------|

OR-4 From James M. Davis, Mayor appointing/re-appointing the following individuals to the Planning Board.

Ramon Veloz	Mayor's Designee until further notice
Terrance Malloy	Term expiring on December 31, 2020
Miquel Quintela	Term expiring on December 31, 2023
Sharon Nadrowski	Term expiring on December 31, 2020

OR-5 From Donna L. Mauer, Chief Financial Officer, reporting on vendor payments and recommending payment of same, and a resolution adopting the recommendation and ordering payment of claims. **Finance**

OR-6 INCLUDED IN OR-5

RESOLUTIONS

CONSENT AGENDA - Resolution ordering the following resolutions to be adopted:

CR-1 Approving the minutes of the regular meeting held Wednesday December 18, 2019. **City Clerk**

CR-2 Approving the minutes of the council caucus held Wednesday, December 11, 2019. **City Clerk**

CR-3 Ordering a warrant in the amount of \$502.80 payable to the order of the BUREAU OF RABIES CONTROL, STATE OF NEW JERSEY, covering the issuance of 294 dog licenses issued in December. **City Clerk**

CR-4 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (9 properties) **Tax Collector**

CR-5 Ordering a warrant in the amount of \$1,825.00 drawn to the order of the TREASURER, STATE OF NEW JERSEY representing the state's share of 73 marriage licenses issued during the months of October, November, and December, 2019. **City Clerk**

CR-6 Authorizing the renewal of three clothing donation bins located at 400 Bayonne Crossing Way, to H AND M LEASING CORP., Copiague, NY. **City Clerk**

CR-7 Authorizing the City Clerk to advertise bids for the 16th Street Park Walkway Improvements.

CR-8 Ordering a warrant in the amount of \$31,772.00 payable to the STATE OF NEW JERSEY for state surcharge fees on new construction and alterations. Chargeable to account T-12-56-839-0000-199. **Building**

CR-9 Authorizing submission of a strategic plan for the BAYONNE MUNICIPAL ALLIANCE grant to the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson in the amount of \$54,720.00 with a \$13,680.00 cash match and a \$41,040.00 in-kind match. **Finance**

CR-10 Authorizing the Mayor and City Clerk to enter in an agreement with HUDSON MILESTONES in the amount of \$32,720.00, providing for the cost of renovation at the 13 Lord Avenue location work to be completed by A1A Restoration Group, LLC.

CR-11 Cancelling taxes on Block 368, lot 1 as being occupied by a qualifying 100% disabled veteran effective October 18, 2019, and ordering a refund of overpaid taxes in the amount of \$4,596.75 for 2019. **Assessor**

CR-12 Authorizing a warrant payable to MOTOROLA SOLUTIONS, CHICAGO, IL, for the annual and support for the Police Department's Tipsoft V5 software for the

period of one year commencing January 1, 2020, in the amount of \$2,299.99. Chargeable to Account ##. **Public Safety**

- CR-13 Authorizing the Mayor and/or his designee(s) to request, accept and expend a \$20,000.00 Federal Award (SUB-GRANT – FFY19-EMPG-EMAA-0901) in to the Bayonne Office of Emergency Management from the New Jersey State Police Office of Emergency Management for the purpose of enhancing Bayonne’s ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies.
- CR-14 Granting 6 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Authorizing the Mayor and City Clerk to enter into an agreement with NORTH STAR HEALTH SERVICES, d/b/a HUDSON HEALTH EMPLOYEE ASSISTANCE, Bayonne, NJ professional mental health services in connection with the city’s employee assistance program for the one year period commencing January 1, 2020, for an amount not to exceed \$28,000.00. Professional services contract awarded pursuant to the Fair and Open Process. Notice of its award will be published. **Municipal Services**
- R-2 Authorizing the Mayor and City Clerk to enter into an agreement with SHOKRY ABDELSAYED, ESQ. for professional legal services to act as Alternate Public Defenders for the period commencing January 1, 2020 for total contract amounts not to exceed \$7,500.00. Chargeable to Account #0-01-43-495-0000-028. Professional services contract awarded pursuant to the Fair and Open Process. Notice of its award will be published. **Law**
- R-3 REMOVED
- R-4 Authorizing the preparation of a redevelopment plan for the property located at 1207 John F. Kennedy Blvd, 1209 John F. Kennedy Blvd., and 1211 John F. Kennedy, which properties are identified at Block 24, Lots 2 & 3, as shown on the official tax map of the City of Bayonne pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
- R-5 Authorizing and directing the Planning Board to reopen and amend the 8th Street Rehabilitation Area Plan, which includes the property located at 219 West 5th Street, which property is identified as Block 301.01, Lot 1 as shown on the official tax map of the City, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **(Nacirema)**
- R-6 Designating Bayonne Luxury Waterwalk LLC as redeveloper of the property located 219 West 5th Street, which is identified as Block 301.01, Lot 1 as shown on the official tax map of the City of Bayonne and authorizing the negotiation and preparation of a redevelopment agreement with Bayonne Luxury Waterwalk, LLC for the redevelopment of such property in accordance with the redevelopment plan. **Law**
- R-7 Authorizing and directing the Planning Board to conduct an preliminary investigation to determine whether certain property located at 21 West 46th Street, 19 West 46th Street, 17 West 46th Street, 12 West 47th Street, 14 West 47th Street, 16 West 47th Street, 20 West 47th Street, 22 West 47th Street and 24 West 47th Street, which property is identified as Block 77, Lots 13, 14, 15 27, 28, 30 31 and 32, as shown on the official tax map of the City of Bayonne, constitutes a non-condemnation area in need of redevelopment pursuant to N.J.S.A 40A:12A-1 et seq. **(Resnick’s II)**
- R-8 Designating PARKVIEW REALTY URBAN RENEWAL LLC as redeveloper for the property located at 101 East 23rd Street, which is identified as Block 445, Lot 1.01 as shown on the official tax map of the City of Bayonne and authorizing the execution of a redevelopment agreement with Parkview Realty Urban Renewal

LLC for the redevelopment of such property in accordance with the amended and restated redevelopment plan.

- R-9 Designating 425 AVENUE C URBAN RENEWAL LLC as redeveloper for the property located at 425-429 AVENUE C, which is identified as Block 230, Lot 22.01 as shown on the official tax map of the City of Bayonne and authorizing the transfer of the redevelopment and financial agreement to 425 Avenue C Urban Renewal, LLC for the redevelopment of such property in accordance with the redevelopment plan.
- R-10 Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property located at 11-13 West 47th Street, 979 Broadway, 983-87 Broadway and 32 West 48th Street, which property is identified at Block 70, Lots 19, 21.01, 23 and 24 as shown on the official tax map of the City of Bayonne constitutes a non-condemnation area in need of redevelopment pursuant to N.J.S.A 40A:12A-1 et seq.
- R-11 Designating certain property located at 108 Avenue F, 104-106 Avenue F, 94-102 Avenue F and 101 East 21st Street, which properties are identified as Block 457.01, Lots 2, 3, 4 and 5 on the official tax map of the City of Bayonne as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a redevelopment plan pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. **(Samson Tank)**
- R-12 Designating certain property located at 196A Avenue E, 196-198 Avenue E and 200 Avenue E, which is identified as Block 458, Lots 7, 8 and 9 on the official tax map of the City of Bayonne as a non-condemnation area in need of redevelopment and authorizing and directing the Planning Board to prepare a redevelopment plan pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
- R-13 Designating BAYVIEW JV, LLC as redeveloper for the property located at 175 Avenue A, which is identified as Block 300.01, Lots 2 and 3 as shown on the official tax map of the City of Bayonne, and authorizing the execution of a redevelopment agreement and authorizing and directing the Planning Board to reopen and amend the redevelopment plan **(Portion of A & P Lot)**
- R-14 REMOVED

TO BE ADDED AT MEETING

- ADD-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL, and a resolution fixing Wednesday, February 19, 2020 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage. **(defining definition of Service Animals) Municipal Services**
- ADD-2 Approving Temporary Emergency # 1 in the CY 2020 budget. **Finance**
- ADD-3 Cancelling Unexpended Balances of Improvement Authorizations. **Finance**
- ADD-4 Authorizing the extension of the Shared Services Agreement with the TOWNSHIP OF WEEKHAWKEN for certified tax collector services from January 1, 2020 through March 31, 2020, under the same terms and conditions of said Shared Services Agreement. **(Business Administration)**